

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

Amy Rae,

Plaintiff,

v.

Checkr, Inc.,

Defendants.

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Civil Action No.: _____

COMPLAINT

For this Complaint, the Plaintiff, Amy Rae, by undersigned counsel, states as follows:

JURISDICTION

1. This action arises out of Defendant's repeated violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681, *et seq.* (the "FCRA").
2. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b), in that Defendant transacts business in this District and a substantial portion of the acts giving rise to this action occurred in this District.

PARTIES

3. The Plaintiff, Amy Rae ("Plaintiff"), is an adult individual residing in Revere, Massachusetts, and is a "consumer" as that term is defined by 15 U.S.C. § 1681a(c).
4. Defendant Checkr, Inc. ("Checkr"), is a California business entity with an address of 1 Montgomery Street, San Francisco, California 94104. Checkr is regularly engaged in the business of assembling, evaluating, and dispersing information concerning consumers for the purpose of furnishing consumer reports, as defined by 15 U.S.C. § 1681(a)(d), to third parties.

FACTUAL ALLEGATIONS

5. In early March 2018, Plaintiff discovered that Checkr was reporting false information regarding her past driving record.

6. Specifically, Checkr reported that Plaintiff's "major violation" on her record "Expired or No Driver License/Permit."

7. In fact, Plaintiff was only given a citation for not having her driver license on her while driving.

8. Plaintiff filed dispute with Checkr and as a result, her report was corrected on March 26, 2018.

9. However, in August 2018, Checkr reported incorrect information to Uber again, which resulted in Uber suspending Plaintiff's account.

10. Checkr furnished this report to a potential employer without verifying this information.

11. This has damaged Plaintiff, as she was denied employment.

COUNT I
VIOLATIONS OF THE FAIR CREDIT REPORTING ACT
15 U.S.C. § 1681, et seq.

12. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

13. 15 U.S.C. § 1681e(b) provides that "[w]hen a consumer reporting agency prepares a consumer report it shall follow reasonable procedures to assure maximum possible accuracy of the information concerning the individual about whom the report relates."

14. In addition, 15 U.S.C. § 1681d(d)(3) provides that "a consumer reporting agency shall not furnish an investigative consumer report that includes information that is a matter of

public record and that relates to an arrest, indictment, conviction, civil judicial action, tax lien, or outstanding judgment, unless the agency has verified the accuracy of the information during the 30-day period ending on the date on which the report is furnished.”

15. Defendant violated §§ 1681e(b) and 1681d(d)(3) of the FCRA by failing to follow reasonable procedures to assure maximum accuracy of the information contained in its report and by failing to verify the accuracy of the information contained in its report.

16. These failures were the direct cause of Plaintiff’s reputation being tampered with, preventing him from obtaining employment opportunities, which has damaged Plaintiff.

17. As a result of Defendant’s violations of §§ 1681e(b) and 1681d(d)(3) of the FCRA, Plaintiff is entitled to damages, costs and attorney’s fees pursuant to 15 U.S.C. §§ 1681n and 1681o.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that judgment be entered against Defendant:

1. Statutory damages pursuant to 15 U.S.C. § 1681n(a)(1)(B);
2. Actual damages pursuant to 15 U.S.C. § 1681o(a)(1);
3. Punitive damages pursuant to 15 U.S.C. § 1681n(a)(2);
4. Attorney’s fees and costs pursuant to 15 U.S.C. §§ 1681n(a)(3) and 1681o(a)(2); and
5. Such other and further relief as may be just and proper.

TRIAL BY JURY DEMANDED ON ALL COUNTS

Dated: October 24, 2018

Respectfully submitted,

By /s/ Sergei Lemberg

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